



FOR CLERK USE ONLY
 City Council
 Item No. _____

CITY COUNCIL AGENDA FACT SHEET

Administration _____

Department _____

November 17, 2009 _____

Requested Date _____

1. Request:

Council Approval ☒

Information Only/
Presentation ☐

Other (specify) ☐

Hearing ☐

2. Requested Action:

Approve amendments to minutes for May 5, 2009.

3. Fiscal Impact:

Revenue:

Increase ☐

Source: _____

Decrease ☐

Amount: \$ _____

Cost:

Increase ☐

Source: _____

Decrease ☐

Amount: \$ _____

Does Not Apply ☒

4. Reviewed By:

Finance Dept. on _____

By: _____

Comments: _____

City Attorney on _____

By: _____

Comments: _____

Note: Back up must be submitted along with this form. Deadline is 5:00 p.m., 2 Fridays before the scheduled meeting date.

CLERK USE ONLY:

CITY COUNCIL DATE: _____

Action ☐

Filing ☐

Consent ☐

Presentation ☐

Hearing ☐

Other(specify) _____

Reviewed by: City Clerk _____

City Manager _____

Date _____

Date _____

CITY COUNCIL AGENDA REPORT

**SUBJECT: AMENDMENT TO OFFICIAL MINUTES OF THE CITY
COUNCIL FOR MAY 5, 2009**

AGENDA DATE: November 17, 2009

PREPARED BY: Jennifer M. Lyon, City Attorney

APPROVED FOR AGENDA BY: Victor Carrillo, City Manager

RECOMMENDATION: Approve amendments to minutes for May 5, 2009.

FISCAL IMPACT: None

BACKGROUND INFORMATION: The tapes for several council meetings have recently been transcribed. When compared with the approved minutes for the same Council meeting, some errors were noted. Attached are the minutes with the proposed revisions so that the minutes will accurately reflect what transpired at the Council meeting.

Attachments: Amended minutes for May 5, 2009

THE CITY COUNCIL/RDA BOARD OF THE CITY OF CALEXICO MET IN REGULAR SESSION ON THE 5TH DAY OF MAY, 2009 AT 6:30 P.M. AT THE CITY HALL COUNCIL CHAMBERS, 608 HEBER AVENUE, CALEXICO, CA. THE DATE, HOUR AND PLACE, DULY ESTABLISHED FOR THE HOLDING OF SAID MEETING.

CLOSED SESSION – 5:30 P.M.

CALL TO ORDER

The Closed Session portion of the agenda was called to order at 5:30 p.m. by Mayor Fuentes.

ATTENDANCE.

Mayor:	Luis Fuentes
Mayor Pro Tem:	David B. Ouzan
Councilman:	John Moreno
Councilman:	Luis Castro
Councilman:	Daniel Romero

The City Council convened into Closed Session at 5:30 p.m. to discuss the following:

- A. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION-Significant exposure to litigation pursuant to subdivision (b)(3)(A) of Section 54956.9 of the Government Code (4 cases).
- B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: First St. and Heber Ave.
City Negotiators: Rosalind Guerrero, Ralph Velez
Under Negotiation: Price and terms of payment
- C. RDA/CITY ITEM-CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: UFW, Gun Club, Finnigan Parcel, Airport Parcels
Agency Negotiators: Luis Estrada, Rosalind Guerrero, Ralph Velez
Under Negotiation: Price and terms of payment
- D. CONFERENCE WITH LABOR NEGOTIATORS
Agency Representatives: Ralph Velez, Judith Hashem, Jennifer Lyon
Employee Organizations: SEIU/CMEA; Water/Wastewater Operators Assoc.; Supervisors Assoc.
Police Officers Assoc.; Fire fighters Assoc.

The City Council reconvened from Closed Session at 6:30 p.m. and took the following action; One of the cases under Item A was referred to after this meeting; Item B was cancelled; Items C & D were continued to after this meeting.

REGULAR MEETING – 6:30 P.M.

The regular meeting was called to order at 6:40 p.m. by Mayor Fuentes and those present were led in the Pledge of Allegiance.

ATTENDANCE. All Council members were present (Castro, Romero, Fuentes, Ouzan, Moreno)

PRESENTATIONS.

Mayor Fuentes proceeded to read three proclamations: Juror Appreciation Week; National Public Works Week and Veteran Appreciation Month.

Mr. Jose Lopez, Economic Development Commission, made a power point presentation regarding the Commission and what they have accomplished as of this date.

Ms. Veronica Platero, spoke regarding the foreclosures in Calxico and informed those present there are things that can be done to avoid foreclosing.

ANNOUNCEMENTS/PUBLIC COMMENTS

Mr. Jose Lopez, Ethel Street, stated he attended the goal setting workshop and was surprised that no gal was set for the New River. He stated they have a matching fund and if the money is not used they will lose it.

Mr. Frank Rashid stated they will be having a festival, Music in the Streets, this Sunday May 10th and a raffle will also be held. He asked for authorization to close the streets between First and Second on Heffernan Street. Mayor Fuentes directed Mr. Rashid to speak with the Chief of Police and the City Manager. He also asked if parking meters can be cancelled on May 10th in honor of Mothers Day. He suggested having one of the Council members interviewed on Chanel 66 to speak about city events and projects. He also thanked the Council for supporting the Business Improvement District (BID).

CONSENT AGENDA.

A motion was made by Mayor Pro Tem Ouzan, seconded by Mayor Fuentes and passed unanimously to approve the Consent Agenda consisting of the following: City Council/RDA minutes for April 21, 2009; Resolution approving the sale of real property (The Horacio Luna Gun Club) to the Calxico Community Redevelopment agency; Adopted resolutions approving TDA Local Streets and Roads-Article 8(a); TDA IVAG Transit Service-Article 8(c); TDA Bus Benches/Shelters-Article 8(c); TDA Bicycle and pedestrian facilities-Article 3; Adopted Budge amendment resolution for the Administration Department; Adopted resolution authorizing the abandonment of use of the temporary retention basin located at Cole Road and Rancho Frontera Ave. (West Meadows Village Sub.); Authorized City Manager to enter into an amended agreement/change order with Cora Constructors, Inc. for the Eastside Reservoir project drafted by the City Attorney and authorize City staff to file a Notice of Cessation; Authorized the basketball coach to travel to Orlando Florida to participate in Jr. WNBA skills challenge finals competitions; Approved travel to attend International Council of Shopping Centers in Las Vegas on May 18-20, 2009; Provided direction to staff in the execution of the agreement with Conveyor Group for video recording and production services of Calxico City Council meetings and approval of the attached budget amendment resolution.

DISCUSSION OF USE OF THE CALEXICO SPECIAL FINANCING AUTHORITY FUNDS AND PROVIDE DIRECTION TO COUNCIL APPOINTEES TO THE AUTHORITY.

Councilman Romero stated the Special Financing Authority had a balance of approximately \$3 million to purchase medical equipment. The Heffernan Memorial Hospital Board purchased an ambulance and the balance is now \$2.7 million. They are trying to purchase property for medical use.

Mayor Pro Tem Ouzan suggested this be coordinated with the Fire Chief.

Mayor Fuentes suggested adding another member to the JPA.

FIREWORKS ASSISTANCE FOR MARIACHI FESTIVAL.

Councilman Castro stated the fireworks would be great entertainment for everyone attending the Mariachi Festival. He asked if funds were available from the General Fund, Redevelopment or Promotions.

Councilman Moreno agrees with Councilman Castro and stated that in the past the money has been donated.

Mayor Pro Tem Ouzan stated this is a good event for the city and it would be nice to close it with fireworks.

A motion was made by Councilman Moreno, seconded by Mayor Pro Tem Ouzan to allocate \$5,000 to the Mariachi Festival for fireworks.

MAYOR'S APPOINTMENT OF DIRECTOR AND ALTERNATE TO THE JPIA BOARD OF DIRECTORS.

Mayor Fuentes appointed Councilman Moreno as Alternate and Mayor Pro Tem Ouzan as Director to the JPIA Board of Directors.

APPOINTMENT TO HISTORICAL MUSEUM COMMITTEE.

A motion was made by Mayor Pro Tem Ouzan, seconded by Councilman Moreno and passed unanimously to appoint Veronica A. Platero to the Historical Museum Committee.

APPOINTMENT TO THE POLICE COMMISSION

Mayor Fuentes appointed Omar Mandojano to the Police Commission.

PUBLIC HEARING-GENERAL PLAN AMENDMENT NO. 2009-01 FOR HOUSING ELEMENT AMENDMENT.

Mr. A. Villa, Development Services Director informed the Council that the item before them is the adoption of the Housing Element which needs to be updated every five years.

Mr. Eric Veerkamp, Raney Planning & Management, stated the Council has a two page list that summarizes the responses they have made and he continued to explain the responses.

City Attorney stated a fax was received on this date from El Remate Inc. which is a letter from Mr. McClendon. She stated the letter is in opposition to this. She also stated t-he city began the process to amendreview the Housing Element last year. The city has revised the Housing Element to respond to HCD's comments include comments and will submit the revised version have submitted these to HCD. This is the second public hearing on the amendment to the Housing Element.

Mayor Pro Tem Ouzan congratulated the consultant and city staff that worked on the amendments to the Housing Element.

A motion was made by Mayor Pro Tem Ouzan, seconded by Councilman Romero and passed unanimously to adopt the next resolution in order approving General Plan Amendment No. 2009-01 for the Housing Element Amendment with the change from March to April 2009.

Mayor also congratulated everyone that worked on this.

PUBLIC HEARING- 111 CALEXICO PLACE.

Before the public hearing began Mayor introduced members of the Manzanita Tribe that were present in the audience.

Development Services Dir., Mr. A. Villa, requested adoption of three resolutions and two ordinances for this project.

Mr. Kirt Coury gave a power point presentation of this project. Mr. Erich Landers, Environmental Consultant also spoke about the environmental impacts and gave a brief report on the process of the application.

City Attorney stated that the City is in receipt of Mr. McClendon's letter. The City Attorney stated in his letter that this project is not listed in the Housing Element and there is no legal requirement it is not required that this land be placed in the Housing Element inventory.

Mr. Victor Carrillo, District I County of Imperial, acknowledged and thanked the Elders of the Manzanita Tribe and Mr. Leroy Elliot and his family, who were in the audience. He stated this will be something positive in the Imperial Valley. This project will generate approximately 2000 jobs and will be an economic stimulus and boom to the Imperial Valley. This project will serve as a mode to the State of California and the entire United States. He congratulated the Council for their display in leadership.

Mr. Udo Walther, Hallwood Properties stated everyone needs to continue to support this project. The surrounding properties will add stimulus to the city and county. The casino will be a boom to the economy. The development will be first class and the jobs long lasting.

Mayor Fuentes stated the city is in need of jobs and creation of new opportunities. He stated this is a turning point for the city.

Councilman Moreno stated he looks forward to working with the Manzanita Tribe. He thanked Mr. John Kennedy who has been a good liaison with staff and Council.

Mayor Pro Tem Ouzan congratulated and thanked the staff and everyone that worked on this project. Councilman Romero stated this venue brings new economic development and new money that is being imported by other cities. The casino will create jobs.

Councilman Castro thanked the Manzanita Tribe for investing in Calexico. He thanked the city staff because they have been working very hard for past two months on this project. This project will create approximately 2000 jobs which will benefit the citizens of Calexico.

A motion was made by Councilman Moreno, seconded by Mayor Pro Tem Ouzan and passed unanimously to adopt the next resolution in order approving and certifying the 111 Calexico Place Final Environmental Impact Report (FEIR) No. 2008-07 (SCH# 2007031092) and finding that the FEIR was considered for this project with addendums.

A motion was made by Councilman Moreno, seconded by Mayor Pro Tem Ouzan and passed unanimously to approve the next resolution in order regarding the approval of the General Plan Amendment with addendums.

A motion was made by Councilman Moreno, seconded by Mayor Pro Tem Ouzan and passed unanimously to adopt the first reading, by title only, waived full reading of ordinance approving zone change No. 2008-08 with addendums.

A motion as made by Councilman Moreno, seconded by Mayor Pro Tem Ouzan and passed unanimously to adopt the first reading by title only, waived full reading, of ordinance approving the 111 Calexico Place Specific Plan No. 2008-05 with addendums.

A motion was made by Councilman Moreno, seconded by Mayor Pro Tem Ouzan and passed unanimously to approve the next resolution in order ~~approving the next resolution in order~~ regarding the tentative tract map with addendums.

INFORMATION ITEMS.

The City Council acknowledged receipt of the following information items: Recreation Commission minutes for March 18, 2009 and change of Council meeting date from May 19th to May 20th due to elections.

REDEVELOPMENT AGENCY ITEMS.**RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY APPROVING THE PURCHASE OF REAL PROPERTY (THE HORACIO LUNA GUN CLUB) OWNED BY THE CITY AND AUTHORIZING THE EXECUTIVE DIRECTOR TO ACCEPT THE GRANT DEED.**

A motion was made by Mayor Pro Tem Ouzan, seconded by Councilman Moreno and passed unanimously to adopt the next resolution of the Community Redevelopment Agency approving the purchase of real property (the Horacio Luna Gun Club owned by the city and authorizing the Executive Director to accept the grant deed.

RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY AUTHORIZING THE RETENTION OF CERTAIN PROFESSIONALS IN CONNECTION WITH THE AGENCY'S INVESTIGATION OF POTENTIAL OPTIONS FOR PROVIDING FINANCIAL ASSISTANCE FOR PUBLIC INFRASTRUCTURE IMPROVEMENTS RELATED TO THE CHARLES COMPANY GRAN PLAZA PROJECT.

A motion was made by Mayor Pro Tem Ouzan, seconded by Councilman Moreno and passed unanimously to adopt the next resolution of the Community Redevelopment Agency authorizing the retention of certain professionals in connection with the agency's investigation of potential options for providing financial assistance for public infrastructure improvements related to the Charles Company Gran Plaza project.

REQUEST FOR CONTRIBUTION TO THE IMPERIAL COUNTY FILM COMMISSION.

A motion was made by Mayor Pro Tem Ouzan, seconded by Councilman Romero to deny the request for contribution to the Imperial County Film Commission.

AYES:	Castro, Romero, Fuentes, Ouzan
NOES:	Moreno
ABSENT:	None

EXCLUSIVE RIGHT TO NEGOTIATE AGREEMENT WITH IMPERIAL VALLEY ASSISTED LIVING CENTER.

A motion as made by Mayor Pro Tem Ouzan, seconded b y Councilman Moreno and passed unanimously to approve the Exclusive Right to Negotiate Agreement and authorize the Agency Executive Director to execute the agreement with Imperial Valley Assisted Living Center.

INFORMATION ITEM-REHABILITATION INFORMATION REPORT.

The City Council acknowledged receipt of the Rehabilitation Information Report.

CLOSED SESSION.

The City Council convened into Closed Session at 8:40 p.m. to discuss the following:

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATE LITIGATION-Significant exposure to litigation pursuant to subdivision (b)(3)(A) of Section 54956.9 of the Government Code.

RDA/CITY ITEM-CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: UFW, Gun Club, Finnigan Parcel, Airport Parcels

Agency Negotiators: Luis Estrada, Rosalind Guerrero, Ralph Velez

Under Negotiation: Price and terms of payment.

CONFERENCE WITH LABOR NEGOTIATORS

Agency Representatives: Ralph Velez, Judith Hashem, Jennifer Lyon

Employee Organizations: SEIU/CMEA; Water/Wastewater Operators Assoc.; Supervisors Assoc.; Police Officers Assoc.; Fire fighters Assoc.

The City Council reconvened from Closed Session at 9:15 p.m. with no reportable action taken, direction was given.

ADJOURNMENT.

There being no further business the Council/RDA Board adjourned this meeting to May 14th, 2009 at 5:00 p.m.

Louis Fuentes, Mayor

Attest:

Lourdes Cordova, City Clerk